

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUTTS NO. 684 OF 2013

Deepak Shah

...Plaintiff

V/s.

Marvelous Builders Pvt Ltd

...Defendant

WITH
INTERIM APPLICATION NO. 2678 OF 2025
IN
SUTTS NO. 684 OF 2013

Ms. Bhagyashri Mangala i/b Mr. E. A. Sasi, Advocate for the Plaintiff.

Mr. Deepak Shah, Plaintiff Present.

CORAM : ABHAY AHUJA, J.

DATE : 15th December 2025

PC. :

1. This matter is mentioned after the board has been discharged for the day.
2. Ms. Bhagyashri Mangala, learned Counsel for the Plaintiff, submits that the Interim Application is to be urgently heard as the Defendants are about to create third party rights.
3. However, upon a query from this Court as to whether the Defendants have been notified through the Indian Postal System, Ms.

Bhagyashri Mangala, learned Counsel for the Plaintiff, submits that earlier an e-mail was sent. In my view, that is not sufficient as no affidavit of the service has been filed.

4. List on **22nd December, 2025 on the Supplementary Board.**

5. It is made clear that the matter will be heard, provided service through the Indian Postal System is effected on the Defendant and an appropriate Affidavit of service is filed.

(ABHAY AHUJA, J.)